

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donskoy, et al.

Serial No.:

Filing Date: 11/16/01

Title: Large Aperture Vibration And Acoustic Sensor

DECLARATION OF MICHAEL R. FRISCIA

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I, Michael R. Frisia, attorney for Applicant in the above-referenced matter, hereby declare:

1. I am a registered patent attorney, Registration No. 33,884, and I am in good standing. I represent the Applicant in connection with the above-identified application.
2. On November 16, 2001, the above-identified application was filed by being deposited with the United States Post Office, Livingston, New Jersey, for "Express Mail Post Office to Addressee" and sent with Mailing Label Number EL548969177US to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

*Receipt date granted
11/16/01.
J. Chang
from OPLA*

3. On November 19, 2001, the express mail package was returned to me with a notice that express mail service to Washington D.C. ZIP Codes 202 through 205 is temporarily suspended. A copy of this notice is attached to the returned express mail package.

4. After discussing this situation with the Commissioner's office, I was informed that same should be treated as a refusal to accept and that the prescribed course of action is to resubmit the package by express mail along with a declaration to Box Filing Date, Assistant Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202-3513.

5. On the same date that I received the returned express mail package, I am promptly re-filing same.

6. The patent application was received into possession of the United States Post Office on November 16, 2001 and would have received the filing date of November 16, 2001 if delivery was not refused/interrupted. The date of November 16, 2001 was entered by a United States Postal Service employee as can be seen by reviewing the Express Mail Label EL548969177US.

7. The contents of the express mail package are the same as what was originally deposited with the United States Postal Service, and the express mail package has remained in a sealed condition since being originally deposited on November 16, 2001.

8. It is respectfully requested that the above-identified application be accorded a filing date of November 16, 2001. In the event that a petition is needed, please consider this a petition therefore and charge any associated fees to Deposit Account No. 06-2143.

9. I certify that this declaration and the express mail package is being deposited with the United States Postal Service, postage prepaid, as "Express Mail Post Office to Addressee," Mailing Label No. EL549064305US to Box Filing Date, Assistant Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202-3513.

Date

11/19/01

Respectfully submitted,

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PATRICK R. DONAHOE
CHIEF OPERATING OFFICER
AND EXECUTIVE VICE PRESIDENT



November 16, 2001

VICE PRESIDENTS, AREA OPERATIONS
MANAGER, CAPITAL METRO OPERATIONS

SUBJECT: Temporary Suspension of Express Mail Service to
Washington, D.C. ZIP Codes 202 through 205

Due to current operating conditions and government security measures, Express Mail products destined for federal government agencies in Washington, D.C. (ZIP Codes 202 through 205), are experiencing significant delays. Therefore, effective immediately Express Mail service to Washington, D.C., ZIP Codes 202 through 205, is temporarily suspended. The sales of this service is to be discontinued at all retail locations, including Contract Postal Units (CPUs). Customers should be advised either to use First-Class Mail for mail destined for these ZIP Codes or wait to send items until this temporary suspension is lifted.

Business customers will be advised of this suspension through the Business Service Network. You will be advised when this suspension is lifted. If you have questions or need additional information, please contact Henry Pankey at (202) 268-5394.

A handwritten signature in black ink, appearing to read 'Patrick R. Donahoe'.

Patrick R. Donahoe

cc: Ms. Bizzotto